

In re the Application of:

Michael P. Wallace

Serial No.: 10/669,543

Filed: September 23, 2003

For: EXTERNAL ACTIVATION OF VASO-OCCLUSIVE IMPLANTS

Group Art Unit: Not-Yet-Assigned

Confirmation No.: Not-Yet-Assigned

Examiner: Not-Yet-Assigned

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement (“IDS”) are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003. Copies of other cited references are enclosed.

The items identified in this IDS may or may not be “material” pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as “prior art” under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING

(37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

Maritza D. Kidd

Name of Person transmitting Paper

Date of deposit

PA:52124324.1/2024730-7035952001

Signature of Person depositing Paper

12/15/03 9:23 AM

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making

reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☐ Please charge _____ to Deposit Account No. **50-2518** for the above fee(s).
- ☒ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. **50-2518**.

Respectfully submitted,
BINGHAM McCUTCHEN LLP

Dated: 12/17/03

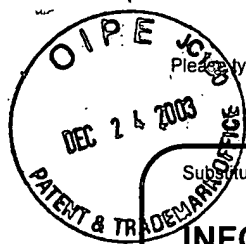
By: DT Burse
David T. Burse
Reg. No. 37,104

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/669,543
Filing Date	September 23, 2003
First Named Inventor	Michael P. Wallace
Group Art Unit	Not-Yet-Assigned
Examiner Name	Not-Yet-Assigned
Attorney Docket Number	2024730-7035952001 (03-398)

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1.	4,994,069		Ritchart et al	02-19-1991	
	2.	5,257,635		Langberg	11-02-1993	
	3.	5,304,194		Chee et al	04-19-1994	
	4.	5,507,744		Tay et al	04-16-1996	
	5.	5,624,461		Mariant	04-29-1997	
	6.	5,639,277		Mariant et al	06-17-1997	
	7.	5,649,949		Wallace et al	07-22-1997	
	8.	5,749,894		Engelson	05-12-1998	
	9.	5,853,418		Ken et al	12-29-1998	
	10.	5,941,888		Wallave et al	08-24-1999	
	11.	5,944,733		Engelson	08-31-1999	
	12.	6,019,757		Scheldrup	02-01-2000	
	13.	6,024,754		Engelson	02-15-2000	
	14.	6,102,917		Maitland et al	08-15-2000	
	15.	6,149,664		Kurz	11-21-2000	
	16.	6,221,066		Ferrera et al	04-24-2001	
	17.	6,270,495		Palermo	08-07-2001	
	18.	6,277,125		Barry et al	08-21-2001	
	19.	6,280,457		Wallace et al	08-28-2001	
	20.	6,322,576		Wallace et al	11-27-2001	
	21.	6,458,127		Truckai et al	10-01-2002	
	22.	6,478,773		Gandhi et al	11-12-2002	
	23.	6,500,149		Gandhi et al	12-31-2002	
	24.	6,544,275		Teoh	04-08-2003	
	25.	6,551,305		Ferrera	04-22-2003	
	26.	6,605,101		Schaefer et al	08-12-2003	
	27.	6,620,152		Guglielmi	09-16-2003	
	28.	6,623,493		Wallace et al	09-23-2003	

Examiner
Signature

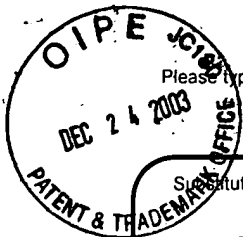
Date
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	29.	WO	00/72781	A2	Sethel Interventional, Inc.	12-07-2000		
	30.	WO	02/39911	A2	Scimed Life Systems, Inc.	05-23-2002		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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